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QUANTEL INC. AND QUANTEL LIMITED

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ROBELLE SOLUTIONS TECHNOLOGY, INC., a Canadian corporation,) Case No. C-05-01612

Plaintiff,) **JOINT CASE MANAGEMENT**
) **STATEMENT AND**
) **~~PROPOSED~~ ORDER**

VS.)

QUANTEL INC., a U.S. corporation,
QUANTEL LIMITED, a foreign corporation;
RETINA, a California company; DOES 1
through 10,

Defendants.

Plaintiff ROBELLE SOLUTIONS TECHNOLOGY, INC. (hereinafter "Robelle") and Defendants QUANTEL, INC. and QUANTEL LIMITED (hereinafter collectively "Quantel") submits this Joint Case Management Statement and Proposed Order and respectfully requests that the Court adopts the Proposed Order continuing this initial case management conference currently

1 scheduled for December 14, 2005 to January 18, 2006, at 10:30 a.m. to allow the parties to continue
2 their settlement negotiations and finalize the remaining unresolved settlement terms. If the
3 settlement is not resolved, the parties believe that it makes more sense for the initial case
4 management conference setting forth a scheduling order to be set at a time after the responsive
5 pleadings have been filed.

6 **GENERAL STATEMENT REGARDING CURRENT STATUS OF CASE**

7 Defendants Quantel, Inc. and Retina have been served with the Summons and Complaint.
8 Defendant Retina was served with the Summons and Complaint on April 20, 2005. It is Plaintiff
9 Robelle's position that Defendant Quantel, Inc. was served with the Summons and Complaint on
10 May 9, 2005. It is the position of Quantel, Inc. that it was served on November 10, 2005.
11 Defendant Quantel Limited, a foreign corporation, was served with the Summons and Complaint on
12 November 14, 2005. None of the parties have filed a responsive pleading because Robelle and
13 Quantel have been engaged in active settlement negotiations since the initiation of this lawsuit, but
14 Robelle has consented to an extension of time for the Quantel defendants to file a responsive
15 pleading by December 16, 2005 if the settlement is not finalized by that date. If settlement is not
16 finalized by that date, the Quantel defendants anticipate that they will require an additional two
17 weeks to file responsive pleadings.

18 The initial case management conference was originally scheduled for August 17, 2005.
19 However, because settlement negotiations were ongoing, Robelle respectfully requested that the
20 Court continue the initial case management conference until Wednesday, October , 2005, to allow
21 the parties to continue their settlement discussions and hopefully resolve this case. The Court
22 granted Robelle's request. On September 27, 2005, the Court *sua sponte* continued the initial case
23 management conference until October 12, 2005, at 10:30 a.m. Prior to the October 12, 2005 initial
24 case management conference, the Court again granted Robelle's request to continue the October 12,
25 2005 initial case management conference until December 14, 2005, to allow the parties' ongoing
26 settlement negotiations to continue.

27 On December 2, 2005, Quantel filed a Stipulated Extension of Time to Answer or Otherwise
28 Plead in Response to the Complaint seeking an extension, to the extent Robelle offered its consent,

1 until Friday, December 16, 2005, to file an answer or otherwise plead to the Complaint. The
2 extension of time was not for the purposes of delay but for the defendants to review and consider
3 the issues raised by Complaint and for the parties to continue settlement discussions before the
4 answer is due. In view of these circumstances, the parties respectfully request that the initial case
5 management conference be continued until January 18, 2006 at a time after the responsive
6 pleadings have been filed.

7 DATED: December 9, 2005

Respectfully submitted,

8 ROBELLE SOLUTIONS TECHNOLOGY, INC.

9 By: /s/
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16 DATED: December 9, 2005

17 Attorneys for Plaintiff
18 ROBELLE SOLUTIONS TECHNOLOGY, INC.

19 QUANTEL, INC. and QUANTEL LIMITED

20 By: /s/
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28 Attorneys for Defendants
QUANTEL, INC. AND QUANTEL LIMITED

ORDER

The Court, having reviewed Plaintiff ROBELLE SOLUTIONS TECHNOLOGY, INC.’s (hereinafter “Robelle”) Case Management Statement, hereby grants the parties request to continue the initial case management conference currently scheduled for Wednesday, December 14, 2005, at 10:30 a.m. until the Wednesday, January 18, 2006, at 10:30 a.m. to allow the parties to continue their ongoing settlement negotiations.

If the case is not settled by that time, the parties will submit a Joint Case Management Statement by January 11, 2006.

IT IS SO ORDERED.

DATED:

12/9/05

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MAGISTRATE JUDGE JAMES LARSON

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